

## **REMARKS**

### **I. Status of Claims**

Claims 1, 3, 6, 9, 11-15, 17-30 and 48-55 are pending in the application, the remaining claims having been canceled. Claims 1, 3, 6, 9, 11-15, 17-30 stand rejected under 35 U.S.C. §112, first and second paragraphs. The specific grounds for rejection, and applicants' response thereto, are set out in detail below.

### **II. Rejection under 35 U.S.C. §112, First Paragraph**

Claims 1, 3, 6, 9, 11-15, 17-30 stand rejected under 35 U.S.C. §112, first paragraph as allegedly lacking an adequate written description. The rejections turn on the absence of sequence information (total or partial) from the claims. Applicants traverse, but in the interest of advancing the prosecution, claim 1 has been amended to recite the full length Osterix sequence, SEQ ID NO:2. This recitation was pending previously in claim 18, and thus constitutes no new matter nor does it require a further search. It also is believed to overcome all remaining rejections. Entry of the amendment and reconsideration and withdrawal of the rejection is therefore respectfully requested.

### **II. Rejection under 35 U.S.C. §112, Second Paragraph**

Claims 1, 3, 6, 9, 11-15, 17-30 stand rejected under 35 U.S.C. §112, second paragraph as allegedly indefinite. Applicants submit that this issue is essentially the same as that set forth for the §112, first paragraph rejection, and thus the response provided above is incorporated by reference herein. Reconsideration and withdrawal of the rejection is therefore respectfully requested.

### **III. Conclusion**

In light of the foregoing, applicants respectfully submit that all claims are in condition for allowance, and an early notification to that effect is earnestly solicited. Should Examiner McKelvey have any questions regarding this response, a telephone call to the undersigned is invited.

Please date stamp and return the accompanying postcard to evidence receipt of these documents.

Respectfully submitted,



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